

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Greg Giordano	Team: Team # 3	CCRB Case #: 200805150	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Wednesday, 04/09/2008 6:25 PM	Location of Incident: § 87(2)(b)	Precinct: 73	18 Mo. SOL 10/9/2009	EO SOL 10/9/2009	
Date/Time CV Reported Thu, 04/10/2008 2:19 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 04/10/2008 2:19 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. Officers			
2. DI Jeffrey Maddrey	00000	899501	073 PCT
3. POM Corey Martinez	00498	935257	073 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Robert Jones	08152	932836	073 PCT
2. LT James Stevenson	00000	892099	073 PCT
3. SGT Carlos Lewis	00550	919302	073 PCT

Officer(s)	Allegation	Investigator Recommendation
A. DI Jeffrey Maddrey	Abuse: DI Jeffrey Maddrey authorized the entry into § 87(2)(b) in Brooklyn.	
B. POM Corey Martinez	Abuse: PO Corey Martinez damaged § 87(2)(b) s property.	
C. DI Jeffrey Maddrey	Abuse: DI Jeffrey Maddrey threatened to have § 87(2)(b) terminated from the Department of Corrections.	
D. POM Corey Martinez	Force: PO Corey Martinez used physical force against § 87(2)(b)	
E. DI Jeffrey Maddrey	Abuse: DI Jeffrey Maddrey damaged § 87(2)(b) s property.	
F. DI Jeffrey Maddrey	Force: DI Jeffrey Maddrey used physical force against § 87(2)(b)	
G. POM Corey Martinez	Force: PO Corey Martinez used physical force against § 87(2)(b)	
H. DI Jeffrey Maddrey	Force: DI Jeffrey Maddrey struck § 87(2)(b) with an asp.	

Officer(s)	Allegation	Investigator Recommendation
I. DI Jeffrey Maddrey	Force: DI Jeffrey Maddrey struck § 87(2)(b) and § 87(2)(b) with an asp.	
J. DI Jeffrey Maddrey	Abuse: DI Jeffrey Maddrey threatened to arrest § 87(2)(b)	
K. Officers	Force: Officers used physical force against § 87(2)(b)	

### Synopsis

On April 10, 2008, § 87(2)(b) filed this complaint with the CCRB via telephone. § 87(2)(b) also filed the complaint with the Internal Affairs Bureau (IAB) generating IAB log 08-16578. On April 9, 2008, at approximately 6:30 PM, several officers from the 73<sup>rd</sup> Precinct, including DI Jeffrey Maddrey, Lt. James Stevenson, Sgt. Carlos Lewis, PO Corey Martinez, and PO Robert Jones, arrived at § 87(2)(b) because of a noise complaint. The officers allegedly forced their way into the premises as PO Martinez kicked the door down (**Allegations A and B**). § 87(2)(b) the owner of the location, went to speak with DI Maddrey and identified herself as an employee of the Department of Corrections. DI Maddrey allegedly threatened § 87(2)(b) that he would make sure she lost her job (**Allegation C**). § 87(2)(b)'s brother, § 87(2)(b) arrived at the location and tried to make his way through the officers to get to § 87(2)(b). PO Martinez allegedly pushed § 87(2)(b) back (**Allegation D**). The officers and § 87(2)(b) made their way downstairs to the basement where the recording studio was. DI Maddrey allegedly kicked the entrance door down to enter the room to take the computer (**Allegation E**). § 87(2)(b) son, § 87(2)(b) and his friend, § 87(2)(b) were also present in the room. DI Maddrey ordered the arrest of § 87(2)(b) who told § 87(2)(b) to record the incident with a camera. The camera was knocked to the floor and as § 87(2)(b) tried to reach for it, DI Maddrey allegedly kicked her in the stomach (**Allegation F**). PO Martinez then allegedly punched § 87(2)(b) (**Allegation G**). The officers then went to handcuff § 87(2)(b) who was struck by DI Maddrey with his asp (**Allegation H**). DI Maddrey also allegedly struck § 87(2)(b) and § 87(2)(b) with his asp (**Allegation I**). After § 87(2)(b) and § 87(2)(b) were arrested, DI Maddrey told § 87(2)(b) to go upstairs or else he would be arrested too (**Allegation J**). After § 87(2)(b) was brought outside, unidentified officers threw her against a patrol car and then placed her inside it. § 87(2)(b) and § 87(2)(b) were then transported to the 73<sup>rd</sup> Precinct and were later taken to § 87(2)(b).

§ 87(2)(g)

This case was originally assigned to Investigator Marean and was reassigned to the undersigned investigator on June 23, 2008, upon Investigator Marean's resignation from the CCRB.

### Summary of Complaint

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b) stated to § 87(2)(b) personnel that she was assaulted by police and had pain all over. § 87(2)(b) stated in her ambulance call report that she had high blood pressure (Enc. 15-28).

On April 9, 2008, at approximately 6:30 PM, § 87(2)(b) was lying down inside her second-floor bedroom at § 87(2)(b) in Brooklyn. There were about twenty people on the first floor of the residence, including her son, § 87(2)(b) her son's wife, § 87(2)(b) and multiple friends of her son, including § 87(2)(b). There were several people in the basement when the officers arrived; there was no music playing. § 87(2)(b) knocked on the door and told his mother that the police were in the house. § 87(2)(b) got up and picked up her Department of Corrections shield and identification card. When she went downstairs, she observed at least eight uniformed police officers standing in the hallway, including DI Jeffrey Maddrey. § 87(2)(b) had met DI Maddrey on a previous occasion when an additional noise complaint was filed. She described DI Maddrey as a black male, 5'9", dressed in uniform with a white shirt. § 87(2)(b) described PO Martinez as a Hispanic male, 5'8", 165 pounds, dressed in uniform; § 87(2)(b) obtained PO Martinez's name by reading the nameplate. PO Robert Jones was also present; § 87(2)(b) described him as a white male, 5'5" tall, 150 pounds, also in uniform. PO Townsend, a black male in uniform, was also present. No female officers were present.

§ 87(2)(b) asked DI Maddrey where the search warrant was and showed him her shield and identification card. DI Maddrey slapped § 87(2)(b)'s hands away and said, "You know who I am, and I don't need a warrant." § 87(2)(b) said, "I'm a Corrections officer, sir." DI Maddrey said, "I'm going to make sure you lose your job for questioning my professionalism." § 87(2)(b) was holding her shield and identification card in front of her. DI Maddrey slapped § 87(2)(b)'s hand away and walked past her. DI Maddrey and several additional officers went downstairs. § 87(2)(b) and others followed them. Once downstairs, a doorway leads to a room where § 87(2)(b) holds equipment he uses to produce music. DI Maddrey kicked open the door, causing it to fall off the hinges. The officers entered the room. He walked to the computer and instructed PO Martinez to disconnect the computer and hard drive. § 87(2)(b) asked DI Maddrey why he wanted to take the computer and hard drive, seeing as the officers had taken the speakers several weeks prior and the computer and hard drive cannot make noise without the speakers. DI Maddrey told § 87(2)(b) that a neighbor had called 311 to make a noise complaint.

§ 87(2)(b) called out to § 87(2)(b) and instructed him to take out the video camera and record what was happening. § 87(2)(b) turned on the camera and began recording. DI Maddrey told one of the officers, "Get that camera." A struggle ensued between the officers and § 87(2)(b). DI Maddrey began hitting § 87(2)(b) with his asp repeatedly on his face, chest, back. § 87(2)(b) fell to the floor. § 87(2)(b) was standing nearby, facing DI Maddrey, who swung his asp and hit § 87(2)(b)'s arm. The camera fell to the floor and slid under a chair. § 87(2)(b) leaned down to pick up the camera. As she did, DI Maddrey kicked § 87(2)(b) in the stomach, causing her to fall to the floor. DI Maddrey instructed PO Martinez to arrest § 87(2)(b). PO Martinez punched § 87(2)(b) in the ribcage multiple times. PO Martinez grabbed § 87(2)(b)'s shoulder with his left hand and wrapped his right arm around § 87(2)(b)'s neck, then pulled her up. § 87(2)(b)'s airway was not constricted. PO Martinez handcuffed § 87(2)(b). He and one other officer picked up § 87(2)(b) and carried her out of the residence. When § 87(2)(b) was brought out of the house, she observed § 87(2)(b) and the neighbor, § 87(2)(b) arguing. She also observed some officers outside who were wearing helmets; § 87(2)(b) could not recall whether or not these officers had any additional equipment with them. § 87(2)(b)'s brother, § 87(2)(b) arrived at some point during the incident.

PO Martinez and one other officer carried her to the police car and put her on the ground. Officers she could not describe then picked up § 87(2)(b) threw her against the car, and then placed her inside the car. § 87(2)(b) was transported to the stationhouse. § 87(2)(b) sustained bruises to both sides of her torso and both upper arms. § 87(2)(b) and § 87(2)(b) sustained bruises as well. EMS arrived at the stationhouse and checked § 87(2)(b)'s blood pressure, which was very high. Several hours later, § 87(2)(b) went to § 87(2)(b). She later proceeded back to the stationhouse and then to Central Booking. The officers took the video camera. § 87(2)(b) joined the Department of Corrections in § 87(2)(b). She was immediately suspended following this incident, which will continue while her criminal case is pending.

### **Results of Investigation**

#### **Civilian Statements**

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b) stated in his ambulance call report as well as to § 87(2)(b) personnel that his left arm hurt from being hit (Enc. 32-45).

On April 9, 2008, § 87(2)(b) and several friends, including his girlfriend, § 87(2)(b) and § 87(2)(b) were playing video games in the living room of his house. The volume of the game was not loud; the group could speak over it. After playing video games for about an hour, § 87(2)(b) heard banging on the front door. When he approached the door, he saw 8-9 officers outside the door, including DI Maddrey, a black male, wearing a uniform with a white shirt and badge that says "Inspector." Also present were PO Martinez, a Hispanic male, 5'11", with a muscular build in uniform, and PO Jones, a white male, 5'11", dressed in uniform. Through the closed glass door, § 87(2)(b) asked what the problem was. DI Maddrey told § 87(2)(b) that he was there to take the computer. § 87(2)(b) asked if there was a search warrant. DI Maddrey said that he did not have a warrant but that the neighbor had called in a complaint. § 87(2)(b) told DI Maddrey that the computer was not making any noise and reminded DI Maddrey that he had taken the speakers several weeks prior. DI Maddrey said that if § 87(2)(b) did not open the door, he would call ESU to get inside.

PO Martinez began pushing the door repeatedly. The lock on the door was weak and PO Martinez soon broke the door open. The officers entered the house. § 87(2)(b) went upstairs and alerted his mother, who came downstairs. § 87(2)(b) showed DI Maddrey her Department of Corrections shield and identification card and said the officers could not enter without a search warrant. DI Maddrey told § 87(2)(b) that he was going to make sure she lost her job. The officers went downstairs to the basement, followed by § 87(2)(b) and § 87(2)(b). The officers took § 87(2)(b)'s computer; DI Maddrey said, "I told you to move your studio," referencing a conversation held several weeks prior. § 87(2)(b) again asked DI Maddrey why he was taking the computer. He stated he had his own reasons for taking it. DI Maddrey told PO Martinez to arrest § 87(2)(b). PO Martinez grabbed one of § 87(2)(b)'s arms and pulled it behind her back. § 87(2)(b) said, "You can't arrest me." PO Martinez pushed § 87(2)(b) onto the floor and DI Maddrey hit § 87(2)(b) on the leg with his asp. DI Maddrey hit § 87(2)(b) on the back using his asp. While holding her right arm and standing behind her, PO Martinez then put his left arm around § 87(2)(b)'s neck to pull her up. PO Martinez handcuffed § 87(2)(b) and brought her out of the house.

DI Maddrey instructed an officer to arrest § 87(2)(b). § 87(2)(b) held his hands in front of him with his palms open. DI Maddrey hit § 87(2)(b)'s left arm with his asp. Another officer placed § 87(2)(b) in handcuffs. § 87(2)(b)'s uncle arrived at the location. Also arrested were § 87(2)(b) and § 87(2)(b)'s girlfriend, § 87(2)(b). § 87(2)(b), § 87(2)(b) and § 87(2)(b) never pulled against the officers, pushed them or attempted to hurt them. § 87(2)(b) was transported to the stationhouse. He sustained bruises and lacerations to his left forearm. He and § 87(2)(b) were handcuffed together and transported to § 87(2)(b). Medical personnel provided § 87(2)(b) with aspirin. § 87(2)(b) was charged with assault and resisting arrest. § 87(2)(b) was released with a desk appearance ticket.

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)'s medical records, which were requested from his private doctor, were never received.

On April 9, 2008, § 87(2)(b) received a telephone call from her sister, § 87(2)(b) during which § 87(2)(b) stated she was not feeling well. § 87(2)(b) asked § 87(2)(b) to bring her some ginger tea and a pack of cigarettes. § 87(2)(b) got the items and proceeded to § 87(2)(b)'s house on § 87(2)(b). When he arrived, § 87(2)(b) saw many police vehicles outside the house. § 87(2)(b)'s nephew, § 87(2)(b) ran out of the house and yelled for § 87(2)(b) to approach. § 87(2)(b) double-parked his vehicle and entered the house. There were approximately a dozen officers inside the hallway of the house, including DI Maddrey. § 87(2)(b) described DI Maddrey as a black male, 5'10", dressed in uniform and wearing a white shirt. § 87(2)(b) was standing near the doorway leading to the basement. The conversation went back and forth between the officers and § 87(2)(b) regarding a noise complaint about music. § 87(2)(b) went into the basement. Two officers held both of § 87(2)(b)'s arms and twisted them behind her back. § 87(2)(b) said, "Why are you roughing her up like that? She's a woman." An officer, whom § 87(2)(b) described as a black male, 6'0", 240 pounds, dressed in uniform, said, "Let me do my job" and approached § 87(2)(b). This officer was identified through investigation as PO Martinez. PO Martinez pushed § 87(2)(b)'s chest using his own chest and said, "Get out of the way." § 87(2)(b)

§ 87(2)(b) said that § 87(2)(b) was his sister. § 87(2)(b) saw that § 87(2)(b) was gasping for breath. § 87(2)(b) has high blood pressure and asthma. § 87(2)(b) told PO Martinez that he wanted to see what was wrong with § 87(2)(b). PO Martinez continued to push him back. Eventually, § 87(2)(b) got past § 87(2)(b). § 87(2)(b) asked § 87(2)(b) if she was ok. PO Martinez grabbed § 87(2)(b)'s arms and threw him further back into the hallway. The officers went down to the basement, followed by § 87(2)(b) and § 87(2)(b). § 87(2)(b) exited the house and entered the basement through another door. He saw three officers, a Hispanic male and two black males, all in uniform, holding § 87(2)(b)'s arms as she lay on the floor. One of the officers punched § 87(2)(b) on her back and rib area several times. § 87(2)(b) was yelling out, saying what the officers were doing was wrong, but was not physically resisting. Another two black male officers had a hold of § 87(2)(b)'s arms. § 87(2)(b) had a video camera in his hand and was recording the commotion. A white male officer, 5'8", dressed in uniform, identified through investigation as PO Jones, tried to grab the camera. § 87(2)(b) pulled the camera away, not letting the officers have it. PO Jones put his arms around § 87(2)(b)'s body and pushed him to the ground. § 87(2)(b) held the camera underneath his body. Another officer hit § 87(2)(b) on his back with the asp. § 87(2)(b) refused to give the officers the camera and moved his body around as they tried to get it. PO Jones drew his asp and began hitting § 87(2)(b) who still refused to provide the camera. DI Maddrey instructed officers to arrest § 87(2)(b) and § 87(2)(b). § 87(2)(b) asked the officers why they were treating § 87(2)(b) as they were. DI Maddrey pushed § 87(2)(b) back, then hit him Jones-4 times on his back using the asp after § 87(2)(b) had turned around. PO Jones grabbed the camera and put it in his pocket. § 87(2)(b) observed an officer, he did not know which, hit § 87(2)(b)'s arms with an asp.

DI Maddrey told § 87(2)(b) to get out of the house. As § 87(2)(b) walked out, DI Maddrey remained in the doorway and told § 87(2)(b) to go upstairs before he arrested him. § 87(2)(b) went upstairs. He still heard commotion in the basement. Eventually, officers appeared at the bottom of the stairs, dragging § 87(2)(b) up the stairs. § 87(2)(b) looked very disheveled. The officers brought § 87(2)(b) and § 87(2)(b) outside to the police vehicles. There were no female officers at the location and all the officers were dressed in uniform. § 87(2)(b) sustained bruises to his back. He went to a private doctor several days after the incident.

### **Attempts to Contact Victims and Witnesses**

Attempts were made to contact § 87(2)(b) and § 87(2)(b) by telephone and mail. § 87(2)(b) failed to contact the CCRB. § 87(2)(b) scheduled an interview for July 8, 2008, but she failed to appear and did not call beforehand to cancel or reschedule. A missed appointment letter was sent to § 87(2)(b)'s home address on the same date. Additional follow up calls were made, but messages were left. § 87(2)(b) failed to contact the CCRB. A Lexis Nexis search was conducted for § 87(2)(b) and § 87(2)(b). The search provided negative results for addresses and telephone numbers for each of these individuals.

### **Identification of Officers Interviewed**

DI Maddrey was identified by § 87(2)(b) by name during a previous encounter about a noise complaint. § 87(2)(b) identified PO Martinez by reading his nameplate during the incident. PO Jones was identified as the arresting officer from the arrest paperwork (Enc. 65-72). Lt. Stevenson and Sgt. Lewis were identified through the initial officer interview of PO Martinez.

### **Officer Statements**

#### **DI Jeffrey Maddrey**

*DI Jeffrey Maddrey, a § 87(2)(b)-old, 5'11" tall, 290 pound, black male, was interviewed at the CCRB on June 30, 2009. He reviewed his GO-15 tape prior to the interview. He has since been promoted to Inspector of the 75<sup>th</sup> Precinct (Enc. 52-53).*

DI Maddrey was working on April 9, 2008 as the special operations coordinator and was working with Lt. Stevenson. DI Maddrey is not required to keep a memo book.

DI Maddrey explained that this incident stemmed from a long line of noise complaints starting in April, 2007. DI Maddrey indicated that the 73<sup>rd</sup> Precinct received over 65 311 complaints about the music coming from § 87(2)(b). One of the neighbors, § 87(2)(b) filed numerous complaints about the noise. At one point, DI Maddrey met with § 87(2)(b), § 87(2)(b) and the other neighbor, and attempted to iron things out and to come to a common agreement. A few months passed without any noise complaints, but § 87(2)(b) started

complaining again. DI Maddrey went to § 87(2)(b)'s residence and asked him why the music was still being played at unreasonable hours. § 87(2)(b) said at the time that he was moving out in a week and there would be no more problems. A few weeks later, there was another complaint about the noise. DI Maddrey went to § 87(2)(b) and removed the speakers and vouchered them. This occurred in March, 2008. Between this date and April 9, 2008, several more complaints were made. DI Maddrey directed his officers to go to the location and issue summonses. On April 9, 2008, § 87(2)(b) called DI Maddrey directly about a noise complaint. DI Maddrey first went to her apartment to see how loud the music was. § 87(2)(b)'s walls were shaking. DI Maddrey was with Lt. Stevenson, Sgt. Lewis, PO Jones, PO Martinez, PO Woods, and PO Forrester. DI Maddrey then went to § 87(2)(b) where a male was walking out. When they approached the door, § 87(2)(b) came from upstairs and started to yell and scream, saying they can't take anything from the house. DI Maddrey made his way to the basement where the studio was to remove the tower that produced the sound. Lt. Stevenson and PO Martinez also went with him. There were several males in the basement as they were recording a song at the time. DI Maddrey did not recall how many stayed in the room. DI Maddrey went to take the tower when § 87(2)(b) moved in front and put his hand in his chest to prevent DI Maddrey from getting near the tower. § 87(2)(b) was holding a camera phone and recorded the incident. DI Maddrey instructed Lt. Stevenson to go back upstairs to make sure everything was under control. § 87(2)(b) was also in the room now. A few moments later, § 87(2)(b) came into the room and started yelling and screaming, holding out her Corrections badge. DI Maddrey did not make any threats to terminate § 87(2)(b) from her job. § 87(2)(b) continued to refuse to move. At this point, DI Maddrey felt outnumbered, fearing for his safety, and told PO Martinez to go back upstairs to get Lt. Stevenson. Once PO Martinez exited, § 87(2)(b) shut the door behind him and locked it. DI Maddrey grabbed his asp and told the individuals to open the door several times but they refused to do so. DI Maddrey then instructed PO Martinez to break the door down, which he was able to do. DI Maddrey instructed PO Martinez to arrest § 87(2)(b). PO Martinez went to arrest § 87(2)(b) but § 87(2)(b) jumped on him. Lt. Stevenson and PO Jones arrived and went to arrest § 87(2)(b) who was resisting by not giving his arms. PO Martinez was then wrestling with § 87(2)(b) who was punching and kicking. DI Maddrey was backed in the corner when § 87(2)(b) grabbed PO Martinez by his collar. DI Maddrey thought § 87(2)(b) may have used physical force so he hit him across his arm with his asp one time. DI Maddrey then pulled § 87(2)(b) and held him against the wall. DI Maddrey focused on § 87(2)(b) who then started to cry at one point, saying, "Don't arrest my mom." DI Maddrey turned his head a few times and saw § 87(2)(b) kick PO Martinez in his groin once or twice. Eventually, § 87(2)(b) and § 87(2)(b) were successfully handcuffed. DI Maddrey did not recall any other individual interfering with the arrests. When they were going upstairs, § 87(2)(b) made threats against PO Martinez, so DI Maddrey had § 87(2)(b) arrested as well. DI Maddrey indicated Sgt. Lewis did not come downstairs. At no point, did DI Maddrey kick or punch anyone, nor did he witness any of his officers do so.

DI Maddrey did not recall seeing any officer throw or damage the camera phone that § 87(2)(b) had, but it may have fallen to the floor when he was being arrested. PO Martinez was later transported to the hospital for the kicks to the groin. DI Maddrey indicated that none of the arrestees had any injuries. However, once at the stationhouse, § 87(2)(b) complained of high blood pressure and § 87(2)(b) complained that his arm hurt from being hit with the asp. These two, along with § 87(2)(b), went to the hospital. DI Maddrey did not recall what § 87(2)(b) complained of. Later on, DI Maddrey learned that § 87(2)(b) and § 87(2)(b)'s girlfriend engaged in a physical altercation, but he did not witness anything. The computer tower was processed and vouchered.

### **PO Corey Martinez**

*PO Corey Martinez, a § 87(2)(b)-old, 6'0" tall, 236 pound, black-Hispanic male, was interviewed at the CCRB on April 29, 2009 (Enc. 56-57).*

*PO Martinez went to § 87(2)(b) after the incident, and complained of lower abdominal and thigh pain (Enc. 58-62).*

PO Martinez worked from 6:00 PM on April 9, 2008, to 2:35 AM on April 10, 2008. He was assigned to Conditions and was working with PO Jones and Sgt. Lewis. All officers were in uniform and assigned to a marked vehicle.

PO Martinez's memo book indicated that at 7:00 PM, they responded to § 87(2)(b). At 7:30 PM, there were three arrests made by PO Jones. At 8:00 PM, PO Martinez went to § 87(2)(b) and was discharged at 10:30 PM (Enc. 54-55).

PO Martinez explained that the 73<sup>rd</sup> Precinct received numerous noise complaints throughout the year for § 87(2)(b). The individuals at the location turned the basement into a make-shift music studio and used the computer as the main source of sound production. PO Martinez indicated that he responded to the location one prior time and removed speakers, but there was no physical altercation and no arrests were made. PO Martinez did not recall DI Maddrey being present that time.

On April 9, 2008, the command received another noise complaint regarding § 87(2)(b). DI Maddrey ordered the officers to go the location and seize the music producing devices, including the computer tower. DI Maddrey, PO Martinez, Sgt. Lewis, Lt. Stevenson, PO Jones, PO Woods, and PO Kryshov all responded to the location. DI Maddrey and Lt. Stevenson first spoke to the neighbor to confirm the noise complaint and if they had heard the music playing. PO Martinez explained that it was his understanding that since several complaints were filed, and music could be heard from the location, no warrant was necessary. When the officers approached § 87(2)(b), a male individual exited and they questioned him on where the owner of the house was, § 87(2)(b). DI Maddrey then entered the location and went down a hallway, as PO Martinez and a few officers followed. DI Maddrey then made a left turn and went down to the basement. There were three males and one female present. DI Maddrey asked the individuals to remove and shut down the hardware so nothing would be damaged as they were going to remove the tower. No music was playing when they entered the basement. After a few moments, DI Maddrey took a step towards the tower to remove it, but the individuals stepped in front of him to block him. No physical contact was made. PO Martinez then went to remove the individuals from DI Maddrey's way but he was told to stand down and to get additional officers. Once PO Martinez left the basement, someone shut and locked the door. PO Martinez heard DI Maddrey tell the individuals to open the door at least two times. When PO Martinez did not hear anything, he kicked the door open, breaking it off the hinges. Once he entered the room, DI Maddrey ordered PO Martinez to place § 87(2)(b) under arrest. A brief struggle ensued as PO Martinez attempted to get § 87(2)(b)'s arms behind his back, as he refused to do so. PO Jones and Lt. Stevenson then arrived and assisted in the handcuffing. Once handcuffed, DI Maddrey ordered him to arrest § 87(2)(b). PO Martinez went to grab one of her arms and she fell to the floor on her back. In the process, § 87(2)(b) kicked PO Martinez in an upward motion in his groin and stomach. PO Martinez went to the ground with her and was still able to handcuff her. PO Martinez did not see how § 87(2)(b) was handcuffed. After all individuals were arrested, they were taken outside to be transported to the stationhouse. At no point did PO Martinez punch or kick anyone, nor did he use his baton to strike anyone. PO Martinez did not witness DI Maddrey use an asp or kick or punch anyone. PO Martinez did not witness any officer punch or kick any of the individuals. PO Martinez indicated that no one had a camera and tried to record the incident. At no point did PO Martinez damage a camera.

DI Maddrey ordered PO Martinez to go to the hospital since he told him what happened and noticed that he was profusely sweating. PO Martinez went to § 87(2)(b) to get everything checked out. PO Martinez did not notice any visible injuries on any of the arrested individuals nor was he aware if any had gone to the hospital. PO Martinez recalled that § 87(2)(b) identified herself as a Corrections officer when speaking to DI Maddrey but he did not recall the extent of the conversation.

#### **PO Robert Jones**

*PO Jones, a § 87(2)(b)-old, 5'10" tall, 235 pound, white male, was interviewed at the CCRB on June 16, 2009. PO Jones reviewed his GO-15 tape prior to this interview (Enc. 73-74).*

PO Jones worked from 6:00 PM on April 9, 2008, to 2:35 AM on April 10, 2008. PO Jones worked overtime until 9:05 AM. He was assigned to Conditions and was working with Sgt. Lewis, PO Martinez, and PO Woods. They were in uniform and assigned to RMP 2106.

PO Jones's memo book indicated that at 7:00 PM, there was a 10-61 to § 87(2)(b). At 7:30 PM, three were under arrest, § 87(2)(b) and § 87(2)(b). At 8:00 PM, he was doing administrative arrest processing at the 73<sup>rd</sup> Precinct (Enc. 63-64).

The **complaint report** and **arrest reports** for § 87(2)(b) and § 87(2)(b) indicated that several officers responded to § 87(2)(b) involving an ongoing noise disturbance. As an officer attempted to remove stereo equipment, § 87(2)(b) and § 87(2)(b) along with co-defendants physically disallowed the officer to remove equipment and themselves and the officer in a room, trapping him. Another officer



forced entry and was assaulted by § 87(2)(b) and § 87(2)(b) who punched and kicked officer causing injury (Enc. 65-72).

On April 9, 2008, PO Jones reported for duty and was informed by Sgt. Lewis that they were going to accompany DI Maddrey to investigate a noise complaint at § 87(2)(b). PO Jones indicated that he had responded to the location once before in March, 2008, but did not actually interact with anyone inside the house. DI Maddrey had responded to this location several times and had interaction with the family members there. At approximately 7:00 PM, the Conditions officers, as well as DI Maddrey and Lt. Stevenson, arrived at § 87(2)(b). As they parked, there were cars double-parked near a fire hydrant. As the officers went towards the house, PO Jones started to issue summonses for the parking violations.

At one point, PO Jones heard a verbal confrontation from the front of the house. He stopped issuing the summons and went into the house. The location is a two-family residence and several individuals exited their rooms and were yelling, screaming, and cursing at the officers. The individuals were annoyed at the presence of the police. PO Jones learned that DI Maddrey and PO Martinez went to the basement to talk to a few of the individuals. After several minutes passed, PO Jones heard banging on the door downstairs, and sounded like there was a struggle. PO Jones went downstairs towards the open door to the recording studio, and believed he was the first officer to do so. He saw PO Martinez on the floor, struggling to handcuff an individual, later identified as § 87(2)(b). PO Jones also saw DI Maddrey in a defensive position in a corner, looking as if he had been in a struggle of some kind. PO Jones went to assist PO Martinez in handcuffing § 87(2)(b) who kicking his legs and swinging his limbs, trying to resist arrest. At that point, DI Maddrey instructed PO Martinez to arrest § 87(2)(b) while PO Jones stayed with § 87(2)(b) who continued to resist arrest. Lt. Stevenson then came downstairs and assisted PO Jones in handcuffing § 87(2)(b) which took 3-4 minutes. During that time, PO Jones glanced over at PO Martinez, who was approximately 10 feet away by the door. § 87(2)(b) was on her back, resisting arrest by kicking her legs at PO Martinez. PO Jones saw that DI Maddrey had his asp out, but he did not see him strike anyone with it. PO Jones did not see PO Martinez ever punch or kick any individual during the incident, nor did PO Jones himself punch or kick anyone. PO Jones indicated that no one had a video camera and neither he nor any other officer damaged a camera at any time. PO Jones did not recall if there was a third individual in the basement, and he believed Sgt. Lewis came downstairs as well. After both § 87(2)(b) and § 87(2)(b) were handcuffed, the situation ended. The individuals were brought upstairs and placed in police cars to be transported to the 73<sup>rd</sup> Precinct. PO Jones was informed that DI Maddrey had been locked inside the studio room and § 87(2)(b) kicked PO Martinez in his groin, which led him to go to the hospital. PO Jones did not actually witness the blow from § 87(2)(b) that cause PO Martinez's injury. PO Jones was also made aware that while he was downstairs, a verbal argument broke out between one of the neighbors and the family members from § 87(2)(b).

PO Jones recalled that the arrested individuals complained of some type of injury, but may have refused medical attentions when EMS arrived. PO Jones was the arresting officer and went back to the stationhouse to process the arrests.

#### **Sgt. Carlos Lewis**

*Sgt. Carlos Lewis, a § 87(2)(b)-old, 6'0" tall, 235 pound, black male, was interviewed at the CCRB on June 16, 2009. Sgt. Lewis reviewed his GO-15 tape prior to this interview (Enc. 77-78).*

Sgt. Lewis worked from 5:45 PM on April 9, 2008, to 2:42 AM on April 10, 2008. He was assigned to Conditions and was working with PO Jones, PO Martinez, PO Forester, and PO Woods. All officers were in uniform and assigned to a marked vehicle.

Sgt. Lewis's memo book indicated that at 7:20 PM, there was a 10-61 to § 87(2)(b) to investigate noise complaints with DI Maddrey. At 7:30 PM, 3 were under arrest (§ 87(2)(b)) at § 87(2)(b) by PO Jones. PO Martinez was transported to § 87(2)(b) for a contusion to the groin (Enc. 75-76).

On April 9, 2008, Sgt. Lewis reported for duty at the 73<sup>rd</sup> Precinct where DI Maddrey told him and his officers to stand by to go with him to investigate a noise complaint at § 87(2)(b). Sgt. Lewis indicated that he had responded to this location in regards to noise complaints that neighbors had made because the residence had a makeshift music studio in the basement. At approximately 7:30 PM, the officers went to § 87(2)(b) DI

Maddrey went to the house, which lodges two families, and spoke to the owner of the house, § 87(2)(b) and her son, § 87(2)(b) who is the owner of the sound studio. At no point did Sgt. Lewis hear § 87(2)(b) identify herself as a Corrections officer. Sgt. Lewis did not witness DI Maddrey threaten to cause § 87(2)(b) to lose her job. At this time, other family members were coming out of their rooms, acting disorderly and seemingly upset that officers were there. DI Maddrey went downstairs to speak privately with § 87(2)(b) and § 87(2)(b) and explain why they were there and taking the computer tower. This occurred 5-10 minutes after they arrived. At this time, a verbal dispute broke out outside between one of the neighbors and the family members. Sgt. Lewis went outside in an attempt to quell the situation, as the two parties almost engaged in a physical fight. After approximately 10-15 minutes, Sgt. Lewis went back towards the house where he heard loud noises coming from the basement. When Sgt. Lewis made his way downstairs, he saw PO Martinez trying to handcuff an individual. PO Martinez asked Sgt. Lewis for handcuffs which he provided to him. PO Martinez was able to handcuff the individual and things seemed in order. 3 individuals were arrested from the basement, § 87(2)(b) and another male, and the "motherboard," which is basically the computer part that generates the music was taken. Sgt. Lewis did not physically assist in any handcuffing. Sgt. Lewis stated that it was very likely that other officers came downstairs, but he could not recall who. Sgt. Lewis believed that he was the first officer to go there besides PO Martinez and DI Maddrey. Sgt. Lewis did not witness DI Maddrey use his asp against any individual, nor did he see DI Maddrey punch or kick anyone. Sgt. Lewis did not witness PO Martinez punch or kick anyone. Sgt. Lewis did not witness PO Martinez or any other officers damage a video camera during the incident.

PO Martinez was transported to the hospital for a groin injury he sustained while making an arrest. Sgt. Lewis did not witness that happen. The arrestees were brought outside and transported to the stationhouse. Sgt. Lewis did not recall any of the arrested individuals going to the hospital or seeing any visible injuries on them.

#### **Lt. James Stevenson**

*Lt. James Stevenson, a § 87(2)(b)-old, 5'7" tall, 180 pound, white male, was interviewed at the CCRB on June 23, 2009. Lt. Stevenson reviewed his GO-15 tape prior to his interview (Enc. 79-80).*

Lt. Stevenson worked from 3:00 PM to 11:35 PM on April 9, 2008. He was assigned as the Special Operations Lt. and was working with DI Maddrey. They were in uniform and were assigned to DI Maddrey's car, an unmarked black jeep. Lt. Stevenson did not have any memo book entries regarding this incident.

On April 9, 2008, DI Maddrey received a phone call regarding a noise complaint at § 87(2)(b) in Brooklyn. Lt. Stevenson indicated that approximately 60 complaints were filed with 311 regarding noise coming from § 87(2)(b). Lt. Stevenson stated he responded to the location one prior time, a few weeks before this incident. When the officers got to the location, DI Maddrey first went to the complainant's home, § 87(2)(b) who lives next door to § 87(2)(b). DI Maddrey determined that one could hear noise throughout the house. The officers then approached § 87(2)(b) where approximately 5 people were standing outside. DI Maddrey spoke to someone, possibly § 87(2)(b) about why they were there regarding the noise complaint. Lt. Stevenson did not recall § 87(2)(b) identifying herself as a Corrections Officer. He also did not witness DI Maddrey making a threat to make § 87(2)(b) lose her job. DI Maddrey, Lt. Stevenson, and PO Martinez went into the house and went down to the basement where the recording studio was along with § 87(2)(b). Lt. Stevenson believed there were a few individuals in the studio, including § 87(2)(b). After a few minutes of explaining the noise complaint, DI Maddrey instructed Lt. Stevenson to go back outside to make sure everything was under control with the neighbors. When Lt. Stevenson got outside, § 87(2)(b) son, who is approximately § 87(2)(b)-old, seemed to be very upset. It did not seem as any physical altercation was about to break out but Lt. Stevenson brought § 87(2)(b) son back into his apartment to calm him down. Lt. Stevenson stayed there for a few minutes.

When he got back outside and was near the front door to § 87(2)(b) he heard people calling for either himself or other officers. When Lt. Stevenson got downstairs, PO Martinez was possibly in the midst of breaking down the door to the studio or was already inside the studio. Lt. Stevenson learned later that DI Maddrey had been locked inside the studio by the civilians. Lt. Stevenson could not recall at what point PO Jones arrived downstairs, either with him or before him. Inside the studio, PO Martinez and DI Maddrey were struggling to handcuff individuals, who were resisting by trying to avoid being cuffed. PO Jones attempted to handcuff § 87(2)(b) and Lt. Stevenson helped him. At that point, Lt. Stevenson lost sight of the other officers and their struggles. Lt. Stevenson indicated that Sgt. Lewis came downstairs, but did not recall if he actually came into the studio or assisted in any handcuffing. Lt. Stevenson indicated that no officer punched or kicked any of the individuals. Lt.

Stevenson did not recall seeing anyone with a video camera and did not witness any officer damaging a camera. Lt. Stevenson did not recall DI Maddrey having his asp out nor did he witness him use his asp to strike anyone. A total of three people were arrested, § 87(2)(b) and § 87(2)(b). Lt. Stevenson learned later that PO Martinez had been kicked in the groin by § 87(2)(b). The individuals were brought outside and transported to the 73<sup>rd</sup> Precinct for arrest processing. Lt. Stevenson did not see any visible injuries on any of the individuals. However, he did recall § 87(2)(b) asking for medical attention, but did not know why. Lt. Stevenson also believed § 87(2)(b) and § 87(2)(b) were checked by EMS. Lt. Stevenson also indicated that whatever produced the sound in the studio was removed and vouchered.

#### **Medical Documentation**

§ 87(2)(b)'s medical documents indicated that she complained of physical pain and high blood pressure. The diagnosis indicated that the main complaint was physical assault but no physical injuries were noted (Enc. 15-28).

§ 87(2)(b)'s medical records indicated that he complained of being hit on his left arm. His final diagnosis was a contusion on his left arm (Enc. 32-45).

PO Martinez's medical documents indicated that he was kicked in his abdomen and thigh while at work. His pain level upon leaving was 7 out of a 10 point scale. He was discharged in good condition (Enc. 58-62).

#### **Police Documentation**

The **AIDED report** (Enc. 81-85) indicated that PO Martinez was assaulted inside § 87(2)(b) and he was removed to the hospital for injuries to his groin, abdominal area, and lower back.

The **command log** (Enc. 86) noted the arrests of § 87(2)(b) and § 87(2)(b). Their physical condition was normal. § 87(2)(b) and § 87(2)(b) were transported to Brooklyn Central Booking at 1:10 PM on April 10, 2008. § 87(2)(b) was taken to § 87(2)(b) at 12:25 AM.

The **prisoner holding pen roster** (Enc. 87) indicated that § 87(2)(b) and § 87(2)(b) were placed into the cells at 7:30 PM.

The 73<sup>rd</sup> Precinct **roll call** (Enc. 88-96) indicated that Sgt. Lewis and PO Jones were assigned to Conditions, Lt. Stevenson was assigned as the special operations coordinator, and PO Martinez was assigned as the community policing officer. DI Maddrey was not listed on the roll call.

The **arrest photos** (Enc. 49-51) for § 87(2)(b) and § 87(2)(b) did not reveal any visible physical injuries.

#### **Notice of Claim**

Both § 87(2)(b) and § 87(2)(b) have filed notices of claim regarding this incident, claiming illegal entry into their home and false arrests. Both statements provided by § 87(2)(b) and § 87(2)(b) were almost identical to their CCRB statements. Both claimants are suing for 3 million dollars (Enc. 120-136).

#### **Civilian CCRB History**

§ 87(2)(b) and § 87(2)(b) have not filed any previous complaints with the CCRB (Enc. 4-5).

#### **Officer CCRB History**

PO Martinez has not had any allegations substantiated against him during his 5-year tenure with the NYPD (Enc. 3). DI Maddrey had allegations of force, threat of arrest, and discourtesy substantiated against him for CCRB case 9501293. The CCRB did not make any recommendations and the NYPD dismissed all charges (Enc. 2).

#### **Criminal Convictions History**

§ 87(2)(b), § 87(2)(a) 160.50  
(Enc. 115-119). § 87(2)(b) and § 87(2)(b) have no prior New York criminal convictions on record.

#### **Status of Criminal Case**

§ 87(2)(b) and § 87(2)(b) have entered a plea to the charges as of yet and they have an upcoming court date on § 87(2)(b). § 87(2)(b) pleaded not guilty and has continually been released on her own recognizance.

#### **Conclusions and Recommendations**

### Identification of Subject Officers

§ 87(2)(b) alleged that DI Maddrey and the officers entered § 87(2)(b) without any justification. § 87(2)(b) alleged that DI Maddrey threatened to make sure she lost her job. § 87(2)(b) also alleged that DI Maddrey kicked the door that leads to the music studio off its hinges. § 87(2)(b) alleged that DI Maddrey struck § 87(2)(b) and § 87(2)(b) with his asp. § 87(2)(b) also alleged that DI Maddrey kicked her in the stomach. § 87(2)(b) alleged that DI Maddrey hit § 87(2)(b) in the leg with his asp and also hit him on his arm with the asp. § 87(2)(b) also alleged that DI Maddrey struck him in the back with his asp and threatened to arrest him. DI Maddrey was described as a black male wearing a white shirt. § 87(2)(g)

§ 87(2)(b) alleged that PO Martinez punched her in the ribcage several times. § 87(2)(b) alleged that PO Martinez kicked the front door down. § 87(2)(b) alleged that PO Martinez pushed him. § 87(2)(b) read PO Martinez's name off his nameplate during the incident. § 87(2)(b) described the officer that pushed him as a black male, 6'0", 240 pounds, and dressed in uniform. PO Martinez is a Hispanic male, who could be mistaken for a light-skinned black, 6'0" tall, and 236 pounds, closely matching the description provided by § 87(2)(b) § 87(2)(g). § 87(2)(b) also alleged that officers who she could not describe threw her against a police car when brought outside. § 87(2)(g)

### Undisputed Facts

It is undisputed that DI Maddrey used his asp to strike § 87(2)(b) on his arm.

### Disputed Facts

It is disputed how the officers entered § 87(2)(b). It is disputed whether DI Maddrey made any threats indicating that he would make sure § 87(2)(b) would lose her job. It is disputed whether DI Maddrey broke down a door. It is disputed whether DI Maddrey struck § 87(2)(b) and § 87(2)(b) with his asp. It is disputed whether DI Maddrey kicked § 87(2)(b) in the stomach. It is disputed whether PO Martinez punched § 87(2)(b) at any point. It is disputed whether officers threw § 87(2)(b) against a police car.

### Assessment of Evidence

§ 87(2)(b) alleged that the officers entered § 87(2)(b) illegally. All officers interviewed indicated that the noise complaints have been ongoing, and § 87(2)(b) had been told several times to stop playing the music so loudly. DI Maddrey indicated the noise could be heard through the walls of § 87(2)(b) house. § 87(2)(g)

§ 87(2)(b) alleged that PO Martinez broke down the front door to the residence in order for the officers to enter. Both § 87(2)(b) and § 87(2)(b) did not see how the officers entered the location. DI Maddrey and his officers all stated that there were numerous individuals outside § 87(2)(b) and that no force was needed to enter the residence.

§ 87(2)(b) alleged that upon showing her Department of Corrections shield to the officers, DI Maddrey threatened that he would make sure she lost her job. § 87(2)(b) also indicated that he heard DI Maddrey make this threat. DI Maddrey denied making any such threats towards § 87(2)(b) when she identified herself as an employee of the Department of Corrections. The only other officer that heard § 87(2)(b) identify herself as an employee of the Department of Corrections was PO Martinez. § 87(2)(g)

§ 87(2)(b) alleged that while trying to get through to § 87(2)(b) PO Martinez took his arms and pushed him back. Neither § 87(2)(b) nor § 87(2)(b) witnessed this allegation. PO Martinez denied using any force throughout the incident other than trying to handcuff § 87(2)(b) § 87(2)(g)

§ 87(2)(b) alleged that after the officers entered the location, DI Maddrey kicked down the door that led to the basement and recording studio. DI Maddrey denied breaking down any doors. DI Maddrey did state that once he was alone in the basement, § 87(2)(b) shut and locked the door, refusing to open upon his request. DI Maddrey ordered PO Martinez, who was outside the room, to break the door down, which he did successfully. PO Martinez confirmed this and also admitted to breaking down the door. Based on DI Maddrey's statement, he feared for his safety being the only officer surrounded by several people, prompting him to order PO Martinez to break the door down. § 87(2)(g)

The civilians alleged that DI Maddrey used his asp against § 87(2)(b) and § 87(2)(b). § 87(2)(b) also alleged that DI Maddrey kicked her in the stomach and PO Martinez punched her. DI Maddrey stated that he used his asp once when he struck § 87(2)(b) on his arm when he attempted to pull PO Martinez off of § 87(2)(b). DI Maddrey denied striking anyone else and did not even know who § 87(2)(b) was. DI Maddrey also denied ever kicking or punching § 87(2)(b). PO Martinez, PO Jones, Sgt. Lewis, and Lt. Stevenson did not witness DI Maddrey use his asp during the incident nor did they witness him punch or kick anyone. PO Martinez denied punching § 87(2)(b) and he only tried to get her handcuffed. No other officer witnessed PO Martinez punch § 87(2)(b). § 87(2)(b)'s ambulance call report noted that she had no physical injuries and her chief complaint was that she had high blood pressure. At § 87(2)(b), § 87(2)(b) complained that she was assaulted and had pain all over her body. The diagnosis indicated that there was a complaint of assault, but did not note any specific bruises or injuries. § 87(2)(g)

§ 87(2)(b) alleged that DI Maddrey threatened to arrest him if he did not go upstairs. DI Maddrey indicated that he never interacted with § 87(2)(b) and was only familiar with the individuals who were arrested. No other civilian or officer witnessed this threat of arrest. § 87(2)(g)

§ 87(2)(b) alleged that after she was handcuffed and brought outside, officers who she could not describe, threw her against a police car. Neither § 87(2)(b) nor § 87(2)(b) witnessed this force used. All officers denied using any such force after § 87(2)(b) was handcuffed and brought outside. § 87(2)(g)

#### **Allegation A: DI Jeffrey Maddrey authorized the entry into § 87(2)(b) in Brooklyn.**

§ 87(2)(b) alleged that the officers entered the location forcibly and without justification. According to Patrol Guide Procedure 214-23 (Enc. 1A-1C), the officers have a right to enforce the prohibition of unreasonable noise. DI Maddrey stated that there had been over 60 noise complaints from the location and he spoke with § 87(2)(b) and § 87(2)(b) about keeping the noise down. DI Maddrey warned § 87(2)(b) a few times after to shut down the music studio and even had his officers issue summonses at the location for the unreasonable noise. On the incident date, DI Maddrey and the other officers went inside the neighboring building to determine whether the noise was unreasonable and discovered that the music was so loud, the walls were shaking. § 87(2)(g)

#### **Allegation B: PO Corey Martinez damaged § 87(2)(b)'s property.**

§ 87(2)(b) alleged that PO Martinez broke down the front door to the house in order for the officers to enter. Neither § 87(2)(b) nor § 87(2)(b) mentioned that the front door was damaged or that the officers forcibly entered. All officers who were interviewed indicated that numerous individuals were outside and they were allowed inside the location. § 87(2)(g)

#### **Allegation C: DI Jeffrey Maddrey threatened to have § 87(2)(b) terminated from the Department of Corrections.**

§ 87(2)(b) alleged that DI Maddrey made a threat that he would make sure she lost her job. § 87(2)(b) also heard this alleged threat. Since DI Maddrey denied making the threat, § 87(2)(g)

§ 87(2)(g)

**Allegation D: PO Corey Martinez used physical force against § 87(2)(b)**

§ 87(2)(b) alleged that PO Martinez pushed him and threw him back as he tried to get to § 87(2)(b) § 87(2)(g)

**Allegation E: DI Jeffrey Maddrey damaged § 87(2)(b)'s property.**

§ 87(2)(b) alleged that DI Maddrey broke down the basement door that led to the music studio. § 87(2)(b) did not say any officer broke the door down. However, all officers admitted that PO Martinez broke the door down after DI Maddrey was locked inside by the civilians, fearing for his safety as he was the only officer present in the room. § 87(2)(g)

**Allegation F: DI Jeffrey Maddrey used physical force against § 87(2)(b)**

**Allegation G: PO Corey Martinez used physical force against § 87(2)(b)**

§ 87(2)(b) alleged that DI Maddrey kicked her in the stomach and PO Martinez punched her. Based on § 87(2)(b)'s medical documents, although she claimed physical assault, there were no visible injuries noted and her chief complaint in the ambulance call report was that she had high blood pressure. Also, § 87(2)(b)'s arrest photo did not reveal any physical injuries. § 87(2)(g)

**Allegation H: DI Jeffrey Maddrey struck § 87(2)(b) with an asp.**

§ 87(2)(b) alleged that when he stuck out his hands to be handcuffed, DI Maddrey stuck him across the arm with his asp. DI Maddrey admitted to striking § 87(2)(b) once, but it was after § 87(2)(b) tried to pull PO Martinez off of § 87(2)(b) causing DI Maddrey to fear that § 87(2)(b) would cause physical harm to his officer. According to Patrol Guide Procedure 203-11 (Enc. 1D-1E), officers are required to use only the amount of force necessary to overcome resistance in order to effect an arrest. § 87(2)(g)

**Allegation I: DI Jeffrey Maddrey struck § 87(2)(b) and § 87(2)(b) with an asp.**

It was alleged that DI Maddrey struck § 87(2)(b) and § 87(2)(b) with his asp. As mentioned before, § 87(2)(b)'s medical records noted no physical injuries. Also, § 87(2)(b) never actually indicated that she was struck with an asp. § 87(2)(b) could not be reached for a statement. Although § 87(2)(b)'s medical records were never received, § 87(2)(b) and § 87(2)(b) did not witness § 87(2)(b) get struck with an asp. § 87(2)(g)

**Allegation J: DI Jeffrey Maddrey threatened to arrest § 87(2)(b)**

§ 87(2)(b) alleged that DI Maddrey threatened to arrest him if he did not go upstairs. § 87(2)(g)

**Allegation K: Officers used physical force against § 87(2)(b)**

§ 87(2)(b) alleged that after she was brought outside, officers picked her up and threw against the police car before being placed inside it. § 87(2)(b) could describe which officers had done this. Neither § 87(2)(b) nor § 87(2)(b) witnessed this allegation. § 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: